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optics appropriate to the use of laser elements. To the contrary, Lin discloses the use of a "transparent distal cover" which includes refractive surfaces, light diffusing structures, or both.

In addition, as the Office Action states, Lin "does not teach or suggest that the weight of the pens to be 450 grams or less." The Office Action asserts that, "it would have been a matter of design choice to construct the pen to be of a weight of less than or equal to 450 grams since it is old and well known in the art that pens are light weight and easily carried in one pocket or purse." The analogy to a pen is inappropriate, since the present invention concerns laser pointers and pens are not laser pointers or laser devices. The Office Action does not argue at any point that it is obvious to provide a lightweight device containing two working lasers.

No other reference is cited to teach or suggest the missing claim limitations. Therefore, no prima facie case of obviousness has been made. MPEP 2143.03.

The rejection of claims 1-24 under 35 U.S.C. § 103(a) as being unpatentable over Lin, taken alone, has been overcome and should be withdrawn.

Claims 4-24 each add additional features to claims 1, 2 and 3. Claims 1, 2 and 3 are patentable for the reasons given above. Thus, claims 4-24 are likewise be patentable. In addition, Lin fails to teach or suggest the following claim limitations appearing in claims 4-24: that no more than one laser element may be actuated at one time, that the two laser elements emit collimated beams which are substantially parallel, that at least one of the laser elements is a green-emitting II-VI semiconductor laser diode, and that at least one of the laser elements is a red-emitting III-V semiconductor laser diode.


In summary, the rejection of claims 1-24 under 35 U.S.C. § 103(a) as being unpatentable over Lin, taken alone, has been overcome and should be withdrawn.

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested. Allowance of claims 1-24 at an early date is solicited.

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Respectfully submitted,

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